

## ORDINANCE NO. 2015-12

### **Amend Personnel Ordinance HR0250, Exempt Service and HR0360 Hours of Work, Overtime and Compensatory Time, updating exempt positions at Jefferson County**

#### Executive Summary

Periodically, the Human Resources Department reviews the exempt status of Jefferson County positions as it relates to the Fair Labor Standards Act (FLSA). As positions are created, eliminated or reclassified, the listing of exempt positions may change. It is the recommendation of the Human Resources Committee to update the Personnel Ordinance to reflect the current listing of exempt positions.

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WHEREAS, in the last 24 months, the Safety Coordinator, Register in Probate/Attorney and Crisis Service Supervisor positions were created and determined to be exempt under the Fair Labor Standards Act (FLSA). In addition, the Advanced Fund Accountant position was reviewed and determined to be non-exempt under the FLSA and the Child Custody Evaluator position was reviewed and determined to be exempt under the FLSA, and

WHEREAS, the Register in Probate/Attorney position meets the standard of being classified as an exempt position that receives Random hours.

NOW, THEREFORE, BE IT RESOLVED that the Human Resources Committee supports and recommends the amendment of Section HR0250 Exempt Service, and HR0360 Hours of Work, Overtime and Compensatory Time, to update the classification listing of exempt positions and exempt positions receiving random hours, respectively.

THE COUNTY BOARD OF SUPERVISORS OF JEFFERSON COUNTY DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Section HR0250, Exempt Service is amended as follows:

- HR0250**      **EXEMPT SERVICE.** The following positions shall be in the exempt service: [am & renumbered 02/08/11, ord. 2010-25]
- A.      All elected officers and department heads.
  - B.      In addition to elected officers and department heads:
    - 1.      Courthouse: Assistant Corporation Counsel, Register in Probate/Attorney, District Attorney Office Manager, Fair Park Supervisor, Information Technology Manager, Systems and Applications Manager, Assistant Finance Director, Park Supervisor, Circuit Court Commissioner, Child Custody Evaluator, Benefits Administrator, Human Resources Specialist, Senior Systems Analyst, Management Analyst, Surveyor, Safety Coordinator. [am. 10/10/06, ord. 2006-17; am. 09-11-07, ord. 2007-19; am.

- 04/15/08, ord. 2008-07; am. 02/10/09, ord. 2008-35; am. 08/11/09, ord. 2009-12; am. 3/13/12, ord. 2011-31; am. 12/11/12, ord. 2012-20]
2. Highway Department: Superintendents, Senior Accountant, Highway Operations Manager, Highway Fleet Manager [am. ord. 85-10, 7-9-85; am. ord. 2008-24, 11-10-08; am. 3/13/12, ord. 2011-31; am. ord. 2012-20, 12/11/2012]
  3. Human Services: ADRC Supervisor, ~~Advanced Fund Accountant~~, Aging and Disability Resources Division Manager, Administrative Services Manager, Child and Family Division Manager, Child Protective Services Supervisor, Community Support Program Supervisor, Comprehensive Community Services Supervisor, Crisis Services Supervisor, Intake Supervisor, Birth-to-Three/Preschool Supervisor, IT Specialist/Compliance Officer, Juvenile Justice Supervisor, Lueder Haus Manager, Mental Health/AODA Supervisor, Economic Support Division Manager, Economic Support Supervisor, Office Manager, Maintenance Supervisor, Wraparound and Youth Services Supervisor. [am. ord. 2007-19, 09/1/07; am ord. 2008-07, 04/15/08; am. ord. 2008-24, 11-10-08; am. 02/10/09, ord. 2008-35; am. 3/13/12, ord. 2011-31; am. ord. 2012-20, 12/11/12]
  4. Sheriff Department: Chief Deputy, Captains, Jail Food Service Supervisor, Emergency Management Director. [am. 10/10/06, ord. No. 2006-17; am. 02/10/09, ord. 2008-35]
  5. Health Department: Public Health Program Manager, Public Health Nurse, WIC Project Director Supervisor. [am. 10/10/06, ord. 2006-17; am. 02/10/09, ord. 2008-35; am. 08/11/09, ord. 2009-12; am. 02/08/11, ord. 2010-25; am. 12/11/12, ord. 2012-20]

Section 2. Section HR0360, Hours of Work, Overtime and Compensatory Time is amended as follows:

**HR0360 HOURS OF WORK, OVERTIME, AND COMPENSATORY TIME.**  
[am. 12/13/11, ord. 2011-21; am. 04/16/2013, ord. 2013-02 am. 06/11/2013, ord. 2013-07]

**A. Exempt Employees**

1. State and federal law do not require an employer to make overtime or compensatory time available to exempt employees, as defined by law. Compensatory time for exempt employees is not intended to provide any compensation in addition to established salaries. Rather, it is a means of providing greater flexibility in scheduling work hours for exempt, salaried employees.

2. In lieu of other compensation for work in excess of 40 hours per week, Emergency Management Director, Circuit Court Commissioners, Assistant Corporation Counsels, Register in Probate/Attorney, Chief Deputy, Systems and Applications Manager, Information Technology Manager and department heads shall be entitled to 40 random hours off per year. Random hours not used by the end of a calendar year shall be forfeited. Random hours shall be prorated in the first and last year of employment based on actual time worked. Random hours for part time employees for a full year shall also be prorated based on the budgeted annual salary for the full year, converted to an equivalent number of hours. [am. ord. 2008-24, 11/10/2008; am. ord. 2008-35, 02/10/09; am. ord. 2009-17, 10/27/2009; am. ord. 2011-21, 01/13/2011; am. 12/11/12, ord. 2012-20]

Section 3. This ordinance shall be effective after passage and publication as provided by law.

*Fiscal Note: This ordinance will have no fiscal impact to Jefferson County.*

Adopted by the Jefferson County Board of Supervisors this 11th day of August 2015.

s/Jim Schroeder

Jim Schroeder  
Chair

ATTEST:

s/Barbara A. Frank

Barbara A. Frank, County Clerk

Published this 17th day of August 2015.

Ayes: VOICE VOTE    Noes\_\_\_\_\_ Abstain: 1 (Hartz)    Absent\_\_\_\_\_ Vacant\_\_\_\_\_

Requested by  
Human Resources Committee

08-11-15

Terri M. Palm: 07-17-15; 7-29-15; J. Blair Ward: 07-30-15

APPROVED: Administrator: bw; Corp. Counsel: jbw; Finance Director: bl